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C O N F I D E N T I A L SECTION 01 OF 02 ABUJA 002224

SIPDIS

STATE FOR AF/W AND INL/AE

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TAGS: [PGOV](#) [KCOR](#) [KCRM](#) [NI](#)

SUBJECT: NIGERIA: FEELING THE HEAT, EFCC CHAIR TRIES TO
COOL DOWN CRITICS

REF: A. ABUJA 2035

[1](#)B. ABUJA 1465

Classified By: Political Counselor Walter N.S. Pflaumer for reasons 1.4
. (b & d).

[1](#)1. (U) SUMMARY: Within the last week, the EFCC has revisited three high-profile corruption cases, with some ending in new arrests and arraignments. The surge in EFCC activity comes on the heels of EFCC Chair Farida Waziri's controversial remarks at an October 13 anti-corruption conference regarding the status of case files against 31 governors and a petition against former President Obasanjo (reftel). Since then, Waziri has been on the defensive, with the Senate Committee on Drugs, Narcotics, Anti-Corruption, and Financial Crimes calling her in to testify on the status of the cases. As the heat turned up, Waziri's spokesman immediately scrambled to clarify her statements. Meanwhile, Waziri herself conducted a quasi anti-corruption public relations campaign--reassuring the Senate that she is serious about fighting corruption, pinning the blame on her predecessor for weak cases and poor file management, and commanding her investigators to re-examine at least three high-profile corruption cases, including that of Former President Obasanjo, former Oyo State Governor, Rashidi Ladoja, and former Minister of State for Health, Gabriel Aduku. END SUMMARY.

MEDIA PUTS WAZIRI ON THE DEFENSIVE

[1](#)2. (C) EFCC Chair Waziri's October 13 remarks at a large anti-corruption conference regarding the status of case files against 31 governors and denying the existence of a petition against former President Obasanjo (reftel) elicited a strong public reaction, sparking a firestorm of media criticism for the next two weeks. Almost immediately, EFCC Spokesman Femi Babafemi went on damage control and tried to clarify what Waziri meant to say. Furthering her case, Waziri met with the Senate Committee on Drugs, Narcotics, and Anti-Corruption on October 23 where she excoriated the press for misquoting her. She then told the Committee that "there are no stolen case files and there are no missing case files in the EFCC. But what I found is what I am working on." She went one step further, criticizing the immunity that shields the President, Vice President, Governors and their deputies from prosecution. Waziri also challenged the Committee to approve the establishment of special courts to prosecute corrupt individuals.

¶3. (U) While the criticism continued, the EFCC announced on October 28 that it will begin "discreet investigations" into the Coalition Against Corrupt Leaders' (CACOL) allegations of corruption against former President Obasanjo. The allegations include: misappropriating \$70 million for an Obasanjo presidential library project; illegal accumulation of oil revenue; involvement in Siemens, Haliburton, Wilbros, and other contract scandals; illegal acquisition of approximately \$2 million shares in Transcorp; and using public funds for a private university, among others. Meanwhile, Babafemi issued a statement on November 4 that the EFCC is ready to put 10 ex-Governors on trial for "corruption, money laundering and abuse of office."

New Arrests

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¶4. (U) Two days after announcing the Obasanjo investigation (on October 30) the EFCC re-arrested former Minister of State for Health, Gabriel Aduku, whose 56-count charge of criminal breach of trust and fraud had been withdrawn the week before. In addition, the EFCC rearraigned former Oyo State Governor, Rashidi Ladoja (originally arraigned August 30) and two of his former aides on October 20. He was charged with 10 counts of money laundering, totalling approximately \$45 million. Ladoja's rearraignment also follows the withdrawal of charges on 33-counts of fraud and money laundering of state funds only a day earlier. Both cases await prosecution.

¶5. (C) Head of EFCC's Legal Division, James Binang, told PolOff and INLOff on November 4 that Waziri ordered Aduku's and Ladoja's initial arrests too soon, when the evidence

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against them was still weak. As a result, and against Waziri's wishes, Binang had to release them. As Waziri faced increased heat over her remarks on Obasanjo and the 31 former governors, Binang told PolOff and INLOff that he was taken off the Aduku and Ladoja cases and the files were instead outsourced to an outside lawyer (Note: Binang did not specify to whom), who came up with "additional evidence" to re-arrest and re-arraign Aduku and Ladoja. Binang did not specify the evidence, but revealed that Waziri felt she was under growing pressure to counter media criticism.

Comment

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¶6. (C) It is hard to know whether the EFCC's re-arraignments are merely an attempt by Waziri to do damage control to counter press criticism or an indication that she is genuinely working to strengthen what she had claimed -- in her July 21 meeting with the Ambassador (see ref B) -- were weak case files. We continue to make it clear to the EFCC that its future relations with the USG are contingent on tangible evidence of its commitment (and Waziri's commitment more specifically) to pursue high-profile investigations.
END COMMENT.

¶7. (U) This cable coordinated with Consulate Lagos.
Sanders